



# ARTICLE 25

## Building Definitions

Annual Town Meeting || April 24, 2024

*Rachel Zsembery, Chair*  
*Arlington Redevelopment Board*



# Building Definitions

- **This article proposes to update and clarify the definition of “Attached” and “Detached” buildings.**
- Revised definitions were written in consultation with the Inspectional Services Department and the Zoning Board of Appeals.
- This article was proposed by the Zoning Board of Appeals





AMENDMENT TEXT

# AMENDMENT TEXT.

Amend Section 2, Definitions,  
as follows:

Building, Attached: A building having any portion of one or more walls or roofs in common with another adjoining building or buildings or otherwise connected by a roof to another building or buildings.

Building, Detached: A building with no physical connection to another building. that does not meet the definition of Building, Attached.





# ARTICLE 26

## Administrative Clarification

Annual Town Meeting || April 24, 2024

*Rachel Zsembery, Chair  
Arlington Redevelopment Board*



# Administrative Clarification

- **This article proposes to clarify and update references to exceptions to district yard and open space requirements made in Section 5.4.2.A.**
- This article was proposed by the Zoning Board of Appeals





AMENDMENT TEXT

# AMENDMENT TEXT.

Amend Section 5.4.2.A. R  
District Yard and Open Space  
Requirements as follows:

R District Yard and Open Space  
Requirements (see 5.4.2(B).B and  
5.9.2.B.(1).e for exceptions).







# ARTICLE 27

## Administrative Correction

Annual Town Meeting || April 24, 2024

*Rachel Zsembery, Chair  
Arlington Redevelopment Board*



BACKGROUND

# Administrative Correction

- **This article proposes to change the listing of conditions in Section 5.9.2.B.(1) from bullet points to letters.**
- **This article will not make any changes to the conditions under which Accessory Dwelling Units (ADUs) are allowed nor will it make changes to any other rules pertaining to ADUs.**
- This article was proposed by the Zoning Board of Appeals





AMENDMENT TEXT

# AMENDMENT TEXT.

Amend Section 5.9.2  
Accessory Dwelling Units,  
Subsection B. (1), to replace  
bullets with letters as  
follows:

## B. Requirements

(1) In any Residential District or Business District, an accessory dwelling unit is permitted as an accessory use to any single-family dwelling, two-family dwelling, or duplex dwelling,

if all of the following conditions are met:

- a) An accessory dwelling unit shall be not larger in floor area...
- b) Any alteration causing an expansion of or addition to a building in connection with...
- c) An accessory dwelling unit shall maintain a separate entrance...
- d) No more than one (1) accessory dwelling unit is allowed per principal dwelling unit.
- e) An accessory dwelling unit may be located in (i) the same building as the principal...
- f) An accessory dwelling unit shall not be used as a short-term rental...
- g) An accessory dwelling unit shall be subject to all applicable requirements...



## AMENDMENT TEXT continued...

Amend Section 5.9.2  
Accessory Dwelling Units,  
Subsection C., to delete  
subsection (3) and  
renumber subsection (4) as  
subsection 3 as follows:

C. Administration

...

~~(3) This Section 5.9.2 shall be effective as of the date on which it is enacted at Town Meeting in accordance with applicable law, except for clause (iii) of Section 5.9.2.B.(1), fifth bullet, which clause (iii) shall be effective as of the date occurring six (6) months after the date on which this Section 5.9.2 is enacted at Town Meeting.~~

(4) (3) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section 8.1.3.E, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section 8.1.3.E shall govern and control.





# ARTICLE 28

## Delete Inland Wetland District

Annual Town Meeting || April 24, 2022

*Rachel Zsembery, Chair  
Arlington Redevelopment Board*



## BACKGROUND

# PURPOSE OF THE AMENDMENT.

Administering a zoned wetlands district creates conflicts or inconsistencies with the Conservation Commission's work under G.L. c. 131, § 40. Article 28 would eliminate the Inland Wetland Overlay District (IWD) from the Zoning Bylaw. It does not reduce protection for wetlands because wetland protection is administered by the Conservation Commission under state and town laws and regulations





AMENDMENT TEXT



ZONING AMENDMENT

# AMENDMENT TEXT.

Amend section 4.1.2 as follows:

4.1.2. Overlay Districts

(1) Floodplain District

~~(2) Inland Wetland District~~



# AMENDMENT TEXT.

Delete section 5.8, Inland  
Wetland District, as follows:

~~5.8 INLAND WETLAND DISTRICT~~

~~5.8.1. (A.-E) Purpose~~

~~5.8.2. (A.-C.) Definition~~

~~5.8.3. Applicability~~

~~5.8.4. (A.-B.) Permitted Uses~~

~~5.8.5. Procedures~~

~~5.8.6. (A.(1-4)-B.) Development Conditions~~





# ARTICLE 29

## Reduced Height Buffer

Annual Town Meeting || April 24, 2024

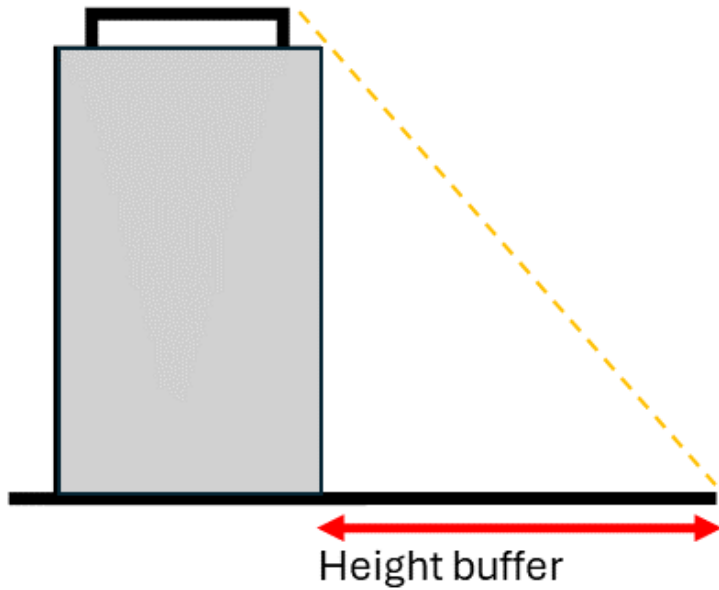
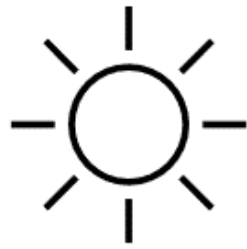
*Rachel Zsembery, Chair  
Arlington Redevelopment Board*



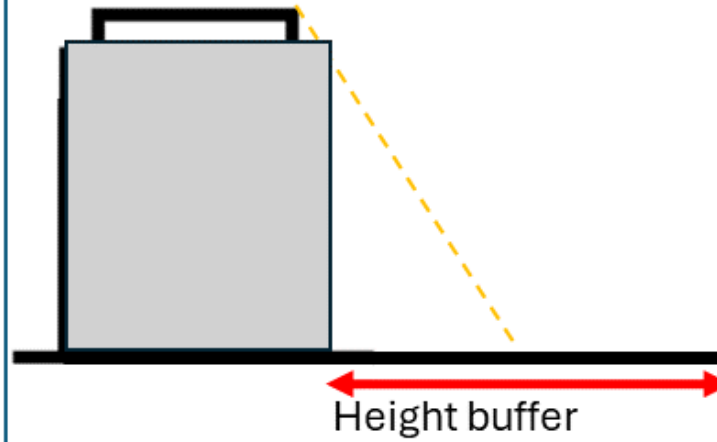
# PURPOSE OF THE AMENDMENT.

The current height buffer distances were set in 1975, when taller buildings were allowed by the Zoning Bylaw. Since that time, the maximum heights in the R7, PUD, and B5 districts have been reduced by 45%, 60%, and 32%, respectively, but the corresponding buffer distances have not been similarly reduced. Given that the overall height maximums have been reduced, the required height buffer distances should likewise be reduced, and this article would reduce the applicable buffer distances by 50%.

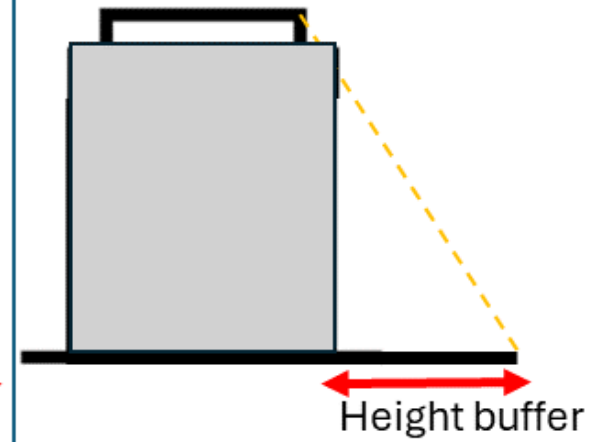




1975 Bylaw



1978, 1982, 1987 height reductions/no change to buffer distance



2024 proposal - reduce the applicable buffer distances by 50%





AMENDMENT TEXT

# AMENDMENT TEXT.

Amend Section 5.3.19, Reduced Height Buffer Area, Subsection A as follows:

A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless

the Board of Appeals, or Arlington Redevelopment Board, as applicable, finds that the height given as the upper limit would not be detrimental to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS districts, would not be adversely affected due to existing use or topographic condition due to site-specific factors and criteria established in Section 3.3.3 and Section 3.3.4.



# AMENDMENT TEXT continued...

Amend Section 5.3.19, Reduced  
Height Buffer Area, Subsection  
A as follows:

A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within <del>200</del> 100 feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within <del>150</del> 75 feet
Southerly, between southeast and southwest	Within <del>100</del> 50 feet

